

**SUPERIOR COURT OF CALIFORNIA**

**County of San Diego**

**DATE:** **DEPT. 71** **REPORTER A:** **CSR# 3184**  
**PRESENT HON. RONALD S. PRAGER** **REPORTER B:** **CSR#**  
**JUDGE**

**CLERK: K. Sandoval**

**BAILIFF:** **REPORTER'S ADDRESS: P.O. BOX 120128**  
**SAN DIEGO, CA 92112-4104**

JUDICIAL COUNSEL  
COORDINATION PROCEEDINGS  
NO. JCCP 4221  
1,11,111, AND 1V

TITLE [Rule 1550(b)]  
NATURAL GAS CASES

## INDEXING

## TENTATIVE RULING-ENCANA EMURRER

The General Demurrer of Defendant EnCana is OVERRULED. The Court finds the complaint states sufficient facts to constitute the causes of action asserted therein.

The agency allegations in Plaintiffs’ complaint are adequate to put EnCana on notice of the claims asserted against it. Allegations of agency need not be pled with the same specificity required for alter ego allegations or as required in federal litigation. Encana’s arguments concerning allegations of sufficient control are factual in nature and inappropriate on demurrer. The Court is unpersuaded by arguments based on non-controlling out-of-state federal decisions.

As such, the demurrer is overruled and EnCana is directed to file its Answer within 15 days of the Court's final ruling.